

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-30109-MAP

JAMES W. FIORE,

Plaintiff

v.

HARTFORD LIFE & ANNUITY CO.,

Defendant.

**JOINT STATEMENT OF THE
PARTIES**

Pursuant to this Court's Order dated July 16, 2004, the parties hereby file their Joint Statement.

JOINT DISCOVERY PLAN

The parties hereby request that the Court adopt the following Joint Discovery Plan:

1. All written discovery, including Interrogatories and Request for Production of Documents shall be served on or before December 2, 2004;
2. All depositions of non-expert witnesses shall be concluded on or before Wednesday, January 21, 2005;
3. All depositions of expert witnesses, if any, shall be concluded and Request for Admissions shall be served on or before Wednesday, February 25, 2005;

PROPOSED SCHEDULE FOR THE FILING OF MOTIONS

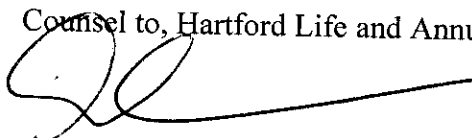
All dispositive motions shall be filed with the Court on or before Friday, April 1 2005. Responses shall be filed by Thursday, May 13, 2005, and Replies shall be filed by Thursday, May 27, 2005.

2A. Certification Regarding Costs And Alternate Dispute Resolution

We hereby certify that we have conferred with a view to establishing a budget for the costs of conducting the full course—and various alternative courses-- of the litigation; and that we have considered the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

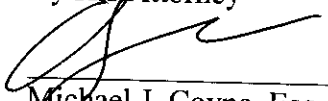
Hartford Life and Annuity Insurance Company,

By: _____
Its: JEFFERY P. AUZZO
In-House Counsel

Counsel to, Hartford Life and Annuity Insurance Company
_____
David B. Crevier

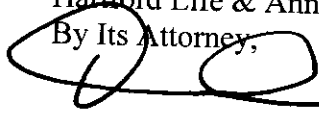
Counsel for the parties hereby confirm their obligation to limit discovery as set forth in Rule 26(b) of the Federal Rules of Civil Procedure.

The Plaintiff,
James W. Fiore,
By His Attorney



Michael J. Coyne, Esq.
Bacon & Wilson, P.C.
33 State Street
Springfield, MA 01103
Ph: (413) 781-0560
Fax: (413) 739-7740
BBO# 541834
Dated: 7/30/04

The Defendant,
Hartford Life & Annuity Co.,
By Its Attorney,



David B. Crevier
Crevier & Ryan, LLP.
1500 Main Street, Suite 2020
Springfield, MA 01115-5532
Ph: (413) 787-2400
Fax: (413) 781-8235
BBO# 557242
Dated: